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October 2, 1997

NATIONAL
ASSOCIATION OF
INDEPENDENT
SCHOOLS

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M St., NW
Washington, DC 20554

1620 L STREET, NW
WASHINGTON, D.C. 20036-5605
TELEPHONE (202) 973-9700
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Re: Notice of Ex Parte Meeting in the Matter of the
Universal Service Joint Board, CC Docket No. 96-45

Dear Mr. Caton:

On October 1, 1997, Sr. Dale McDonald (National Catholic Education Association), Ben Jagodzinski (United States Catholic Conference) and I met with Maryanne McCormick of the Universal Service Branch.

My colleagues and I provided background on U.S. private schools and the Education and Libraries Networks Coalition (EdLiNC) and reviewed three issues with regard to the implementation of the telecommunications discount program: competitive advantage of preapproved technology plans, alternative mechanisms for approval of school and library technology plans, and private school representation on the Schools and Libraries Corporation (SLC). A summary is noted below:

(1) Preapproved Technology Plans: We believe that institutions—or their governing bodies—with technology plans approved under such programs as Goals 2000 or the Technology Literacy Challenge will have a competitive advantage over those entities needing independent plan approval, as this highly time consuming application step will have been eliminated. To address this problem, we proposed that:

(a) **Approval of an entity's technology plan be waived** for all schools and libraries for the first year (or at the very least, six months) in order to provide sufficient time to develop state and alternative approval mechanisms (see below).

(b) **In the event that a waiver is not granted, eligible entities would check a box on the application form** indicating that the technology plan is in the approval process (Form 470).¹ A copy of the technology plan would be attached. This would allow affected schools and libraries to initiate their application process in a timely manner. In addition, entities would indicate on

¹ We suggested that draft language might read: ☐ The technology plan is being approved by a state or other authorized body. Or, ☐ The technology plan will be approved by a state or other authorized body prior to discounts being implemented.

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Form 471 that the plan had been approved during the four-week posting period or that it was still being reviewed. If the latter, the allowable discount on the entity's request for telecommunication's services would be placed in escrow by the fund administrator until such time as the technology plan was approved.

(2) Alternative Approval Mechanisms: We are very concerned that the delay in issuing FCC guidance on alternative approval mechanisms will hinder the timely implementation of the technology plan approval process, interfere with the discount application procedure, and jeopardize the opportunity for schools and libraries to take advantage of the telecommunications program before funds are exhausted. We endorse the E-Rate Implementation Working Group's recommendation regarding approval of technology plans (peer review panels) and suggest serious consideration be given to providing as many options as possible to those entities electing or forced to choose an alternative approval mechanism. These options include:

(a) **State Education Agency** or its delegate; and

(b) **Peer Review Panels**, comprised of individuals with experience in school technology, would be created by:

1. Local, state, or regional private school association, many of which also serve as accrediting bodies.
2. A technologically advanced model school, which would be appointed by a local, state, or regional private school association.
3. A school consortium or central school authority, e.g., a diocese.
4. The U.S. Department of Education's Office of Nonpublic Education, which would need additional staff to coordinate the review process.
5. State EdLiNCs, as is being done in Montana.
6. The SLC Board, which may review and certify technology plans or delegate staff to assume this responsibility.

We also emphasized the difficulty in having the review panels in place given the extremely short timetable and sought clarification as to whether a State or the peer review panels would be able to charge a fee (to cover expenses) for reviewing technology plans.

(3) Private Schools: We noted that there are approximately 26,000 private schools; this represents 25 percent of all U.S. schools and 11 percent of all children enrolled in these institutions.

(4) EdLiNC: As part of EdLiNC, the private school community continues to partner with its public school and library colleagues to ensure the successful implementation of the telecommunication discount program.

(5) SLC: We are very disappointed that there is no private school representative on the SLC Board to provide perspective on our constituency's unique culture and operational environment. However, we look forward to serving as a resource for the Board and SLC's CEO during the policy decision making process (and not after-the-fact). We also discussed the need to redress the lack of representation in the next round of appointments to

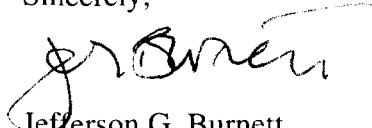
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the SLC in two years time. In addition, to heighten awareness, develop a source of expertise, and expedite resolutions of issues particular to private schools, we proposed that the SLC dedicate a staff member(s) (as does the U.S. Department of Education with its Office of Nonpublic Education) to serve as the SLC primary private school contact.

In accordance with Commission rules, I am submitting two copies of this notice to the Office of the Secretary. Please acknowledge receipt hereof by affixing a notation on a duplicate copy of this letter furnished herewith for such purposes and remitting same to the bearer.

Sincerely,



Jefferson G. Burnett
Director of Government Relations

cc: Maryanne McCormick